

(n) *Public value* refers to an asset held by, or a service performed for, or a benefit accruing to the people at large.

(o) *Multiple use* means the management of the various surface and subsurface resources so that they are utilized in the combination that will best meet the present and future needs of the American people; the most judicious use of the land for some or all of these resources or related services over areas large enough to provide sufficient latitude for periodic adjustments in use to conform to changing needs and conditions; the use of some land for less than all of the resources; and harmonious and coordinated management of the various resources, each with the other, without impairment of the productivity of the land, with consideration being given to the relative values of the various resources, and not necessarily the combination of uses that will give the greatest dollar return or the greatest unit output.

(p) *Sustained yield of the several products and services* means the achievement and maintenance of a high-level annual or regular periodic output of the various renewable resources of land without impairment of the productivity of the land.

PART 2410—CRITERIA FOR ALL LAND CLASSIFICATIONS

Subpart 2410—General Criteria

Sec.

2410.1 All classifications.

2410.2 Relative value, disposal or retention.

SOURCE: 35 FR 9560, June 13, 1970, unless otherwise noted.

Subpart 2410—General Criteria

§ 2410.1 All classifications.

All classifications under the regulations of this part will give due consideration to ecology, priorities of use, and the relative values of the various resources in particular areas. They must be consistent with all the following criteria:

(a) The lands must be physically suitable or adaptable to the uses or purposes for which they are classified. In addition, they must have such physical and other characteristics as the law

may require them to have to qualify for a particular classification.

(b) All present and potential uses and users of the lands will be taken into consideration. All other things being equal, land classifications will attempt to achieve maximum future uses and minimum disturbance to or dislocation of existing users.

(c) All land classifications must be consistent with State and local government programs, plans, zoning, and regulations applicable to the area in which the lands to be classified are located, to the extent such State and local programs, plans, zoning, and regulations are not inconsistent with Federal programs, policies, and uses, and will not lead to inequities among private individuals.

(d) All land classifications must be consistent with Federal programs and policies, to the extent that those programs and policies affect the use or disposal of the public lands.

[35 FR 9560, June 13, 1970]

§ 2410.2 Relative value, disposal or retention.

When, under the criteria of this part, a tract of land has potential for either retention for multiple use management or for some form of disposal, or for more than one form of disposal, the relative scarcity of the values involved and the availability of alternative means and sites for realization of those values will be considered. Long-term public benefits will be weighed against more immediate or local benefits. The tract will then be classified in a manner which will best promote the public interests.

[35 FR 9560, June 13, 1970]

PART 2420—MULTIPLE-USE MANAGEMENT CLASSIFICATIONS

Subpart 2420—Criteria for Multiple-Use Management Classifications

Sec.

2420.1 Use of criteria.

2420.2 Criteria.

SOURCE: 35 FR 9561, June 13, 1970, unless otherwise noted.

Bureau of Land Management, Interior

§ 2420.2

Subpart 2420—Criteria for Multiple-Use Management Classifications

§ 2420.1 Use of criteria.

In addition to the general criteria in subpart 2410, the following criteria will be used to determine whether public lands will be retained, in Federal ownership and managed for domestic livestock grazing, fish and wildlife development and utilization, industrial development, mineral production, occupancy, outdoor recreation, timber production, watershed protection, wilderness preservation, or preservation of public values that would be lost if the land passed from Federal ownership.

[35 FR 9561, June 13, 1970]

§ 2420.2 Criteria.

Lands may be classified for retention under the Classification and Multiple Use Act of September 19, 1964 (78 Stat. 986, 43 U.S.C. 1411–18), if they are not suitable for disposal under the criteria set forth in part 2430 and such classification will do one or more of the following:

(a) Assist in effective and economical administration of the public lands in furtherance of the several objectives of such administration as expressed in the various public land laws.

(b) Further the objectives of Federal natural resource legislation directed, among other things towards:

(1) Stabilization and development of the livestock industry dependent upon Federal lands, such as sections 1 and 15 of the Taylor Grazing Act (43 U.S.C. 315 and 315m), and the Alaska Grazing Act (48 U.S.C. 471–471o).

(2) Provision or preservation of adequate areas of public hunting and fishing grounds and public access thereto, and maintenance of habitat and food supplies for the fish and wildlife dependent upon the public lands and maintained under Federal and State programs, such as section 9 of the Taylor Grazing Act (43 U.S.C. 315h) and the Fish and Wildlife Coordination Act (16 U.S.C. 661–666c).

(3) Fostering the economy of the nation by industrial and mineral development, such as through the materials sales and mineral leasing laws (Group

3000 of this chapter) and the rights-of-way laws (Group 2800 of this chapter).

(4) Realization of the beneficial utilization of the public lands through occupancy leases, such as under the Recreation and Public Purposes Act (43 U.S.C. 869–869-4) and the Small Tract Act (43 U.S.C. 682a–682e).

(5) Provision of needed recreation, conservation, and scenic areas and open space (42 U.S.C. 1500–1500e) and assurance of adequate outdoor recreation resources for present and future generations of Americans (16 U.S.C. 460–1 *et seq.*).

(6) Stabilization of the timber industry and dependent communities and sustained-yield production of timber and other forest products, such as the Materials Sales Act (30 U.S.C. 601–604), and, in connection with management of other Federal lands, the O and C Act (43 U.S.C. 1181a–1181f, 1181g–1181j).

(7) Protection of frail lands, conservation of productive soils and water supplies, and prevention of damage and loss due to excessive runoff, flooding, salination, and siltation, such as the Soil and Moisture Conservation Act (16 U.S.C. 590a *et seq.*) and section 2 of the Taylor Grazing Act (43 U.S.C. 315a).

(c) Preservation of public values that would be lost if the land passed from Federal ownership (43 U.S.C. 1411–1418) such as where

(1) The lands are needed to protect or enhance established Federal programs, by such means as provision of buffer zones, control of access, maintenance of water supplies, reduction and prevention of water pollution, exclusion of nonconforming inholdings, maintenance of efficient management areas, provision of research areas, and maintenance of military areas or sites for other government activities.

(2) The lands should be retained in Federal ownership pending enactment of Federal legislation, which would affect them.

(3) The lands should be retained in Federal ownership pending their acquisition by a State or local government.

(4) The lands are best suited for multiple use management and require management for a mixture of uses in order to best benefit the general public and such management could not be

achieved if the lands were in private ownership.

(5) The lands contain scientific, scenic, historic, or wilderness values which would be lost to the general public if they were transferred out of Federal ownership.

(6) Transfer of the lands would be inconsistent with national objectives for the preservation of natural beauty of the country and the proper utilization of open space.

[35 FR 9561, June 13, 1970]

PART 2430—DISPOSAL CLASSIFICATIONS

Subpart 2430—Criteria for Disposal Classifications

Sec.

2430.1 Use of criteria.

2430.2 General criteria for disposal classification.

2430.3 Additional criteria for classification of lands needed for urban or suburban purposes.

2430.4 Additional criteria for classification of lands valuable for public purposes.

2430.5 Additional criteria for classification of lands valuable for residential, commercial, agricultural, or industrial purposes.

2430.6 Additional criteria for lands valuable for other purposes.

SOURCE: 35 FR 9561, June 13, 1970, unless otherwise noted.

Subpart 2430—Criteria for Disposal Classifications

§ 2430.1 Use of criteria.

In addition to the general criteria in subpart 2410 the following criteria will govern classifications under the authorities listed in § 2400.0–3 for sale, selection, grant or other disposal under the Public Land Sale Act (78 Stat. 988, 43 U.S.C. 1421–1427) and other laws authorizing the Secretary of the Interior to dispose of public lands. The criteria are set forth in terms of land use classes. Where appropriate, the applicability of specific disposal laws to lands in each use class is discussed.

§ 2430.2 General criteria for disposal classification.

The general approach to determine the act under which lands are to be classified and disposed of is as follows:

(a) Consideration under criteria listed in this part will first be given to whether the lands can be classified for retention for multiple use management, for disposal, or for both. If, under these criteria, they could be classified for both, the principles of § 2410.2 will be applied.

(b) If the lands are found to be suitable for disposal, consideration under the criteria of this part will be given to whether the lands are needed for urban or suburban purposes or whether they are chiefly valuable for other purposes. Lands found to be valuable for public purposes will be considered chiefly valuable for public purposes, except in situations where alternate sites are available to meet the public needs involved.

§ 2430.3 Additional criteria for classification of lands needed for urban or suburban purposes.

(a) To be needed for urban or suburban purposes it must be anticipated that a community will embrace the lands within 15 years.

(b) Lands determined to be needed for urban or suburban purposes may be classified for sale pursuant to the Public Land Sale Act as being required for the orderly growth and development of a community, if (1) adequate zoning regulations are in effect and (2) adequate local governmental comprehensive plans have been adopted.

(c) Lands determined to be needed for urban or suburban purposes may be classified for disposal under any appropriate law other than the Public Land Sale Act, if disposal under such other authority would be consistent with local comprehensive plans, or in the absence of such plans, with the views of local governmental authorities.

(d) Where more than one form of disposal is possible, the authorized officer will select that course of action which will best promote development of the land for urban or suburban purposes.